

ORGANIZATIONAL SESSION  
BAY COUNTY REGISTER OF DEEDS VACANCY  
MAY 9, 2014

IN ACCORDANCE WITH MCLA 168.209 (2) THE JUDGE OF PROBATE COURT, THE COUNTY CLERK AND PROSECUTING ATTORNEY SHALL CONVENE AND APPOINT A SUITABLE PERSON TO FILL A VACANCY WHEN A COUNTYWIDE ELECTED OFFICE IS VACATED PRIOR TO THE EXPIRATION OF THE TERM. CURRENT REGISTER OF DEEDS, VICKI ROUPE, HAD ANNOUNCED HER RETIREMENT EFFECTIVE JUNE 13, 2014 THEREFORE REQUIRING THE HOLDING OF THESE PROCEEDINGS PURSUANT TO THE OPEN MEETING ACT.

MEMBERS PRESENT BY VIRTUE OF THEIR OFFICES INCLUDED KAREN TIGHE, PROBATE JUDGE; CYNTHIA A. LUCZAK, COUNTY CLERK AND PROSECUTING ATTORNEY, KURT ASBURY. THE MEETING WAS CALLED TO ORDER AT 8:35 A.M. AT THE BAY COUNTY COURT FACILITY, CIRCUIT COURT MEDIATION ROOM, 1230 WASHINGTON AVENUE, BAY CITY, MICHIGAN WITH THE FOLLOWING GUESTS IN ATTENDANCE.

PRESENT: JILL RAYNAK, CHIEF DEPUTY REGISTER OF DEEDS  
WANDA BEHMLANDER, CO. EMPLOYEE/APPLICANT  
COLLEEN MAILLETTE, REALTOR/APPLICANT  
BRANDON KRAUSE, COMMISSIONER/APPLICANT  
KELLIE DANIELS, TITLE WORKER/APPLICANT  
ANDREW NIEDZINSKI, CITY/APPLICANT  
KIM BODRIE, OBSERVER  
LINDA BODRIE, OBSERVER  
TIM QUINN, CORPORATE CO.

JUDGE TIGHE STATED THAT THIS ORGANIZATIONAL MEETING WAS CALLED TO DISCUSS A PROCESS AND TIME LINE THAT MEMBERS MAY FOLLOW IN ORDER TO FILL THE VACANCY OF A REGISTER OF DEEDS. AS TWO (2) MEMBERS CONSTITUTED A QUORUM, IT WAS EMPHASIZED THAT DISCUSSIONS BETWEEN ANY TWO MEMBERS OF THE COMMITTEE WAS PROHIBITED UNLESS AT AN OPEN PUBLIC MEETING. THIS, AND ALL FUTURE MEETINGS WOULD BE PUBLICALLY ANNOUNCED PURSUANT TO THE PROVISIONS OF THE OPEN MEETING ACT.

APPLICANTS WERE AFFORDED AN OPPORTUNITY TO SPEAK TO THE MEMBERS OF THE PANEL BUT NO ONE WISHED TO AT THIS TIME.

BRANDON KRAUSE MADE A STATEMENT LATER IN THE MEETING.

JUDGE TIGHE REQUESTED THE ASSISTANCE OF TIM QUINN, PERSONNEL/ CORPORATE COUNSEL IN REGARD A PROCESS FOR THE COLLECTION OF APPLICATIONS FROM ONE CENTRAL COUNTY OFFICE AS OPPOSED TO THE POTENTIAL APPLICANT SENDING RESUMES TO EACH OFFICIAL FOR FINAL CONSIDERATION. MR. QUINN WOULD ALSO COLLECT ANY AND ALL OF THE APPLICATIONS THAT MAY BE FILED ON-LINE THROUGH THE MAIN COUNTY JOB APPLICATION PORTAL. IT HAD BEEN PREDETERMINED THAT ANY ONE INTERESTED IN APPLYING FOR THE REGISTER OF DEEDS POSITION MUST SUBMIT THEIR OFFICIAL REQUEST BY 5:00 P.M. ON TUESDAY, MAY 20, 2014.

TIM QUINN KNEW HE WAS NOT IN CHARGE OF THE PROCESS TO NAME THE NEW REGISTER OF DEEDS, HAD NO VOTE ON THE BOARD AND WAS UNABLE TO PROVIDE A RECOMMENDATION ON A POTENTIAL CANDIDATE. ONLY THAT, HE WAS AVAILABLE TO FACILITATE THE SELECTION PROCESS SHOULD THE PANEL FIND IT NECESSARY.

AT THE CURRENT TIME, 23 APPLICATIONS HAD BEEN RECEIVED. SINCE ALL APPLICANTS MAY OR MAY NOT MEET THE CRITERIA OF THE JOB DESCRIPTION, IT WAS SUGGESTED THAT EACH MEMBER OF THE PANEL SELECT 6-10 PEOPLE TO CONSIDER IN THE FIRST GO AROUND OF APPLICATION REVIEW. WITH THE JUDGE, CLERK AND PROSECUTOR EACH MAKING SELECTIONS, APPLICANTS WITH TWO OR MORE ENDORSEMENTS BY THE PANEL WOULD BE CONSIDERED FOR FURTHER SCRUTINY AND/OR INTERVIEW. CLERK LUCZAK STATED THE TOTAL NUMBER OF APPLICANTS TO BE REVIEWED SHOULD NOT BE SET NOW BUT BASED ON THE GRAND TOTAL OF APPLICATIONS RECEIVED.

JUDGE TIGHE OBSERVED THAT A FEW OF THE 23 CURRENT APPLICANTS WERE RESIDENTS OF SAGINAW COUNTY AND IT WAS HER PREFERENCE THAT A BAY COUNTY RESIDENT BE SELECTED FOR THE POSITION. THE GENERAL COUNTY HIRING POLICY DID NOT REQUIRE RESIDENCY IN BAY COUNTY AND ASBURY INDICATED IT MAY NOT BE A REQUIREMENT FOR AN "APPOINTMENT". THE APPLICANT WOULD BE REQUIRED TO BE A BAY COUNTY RESIDENT BY LAW, IF PLANNING TO RUN FOR ELECTION TO THE OFFICE IN 2016. ATTORNEY SHAWNA WALRAVEN RESEARCHED THE MATTER AND HER LEGAL RESEARCH INDICATED, "THE APPOINTEE HAS TO BE A RESIDENT BECAUSE THE PERSON TAKING THE OFFICE MUST BE REGISTERED TO VOTE IN BAY COUNTY. THERE IS NO EXCEPTION FOR APPOINTEES BECAUSE THEY HOLD THE OFFICE ONCE THEY ARE APPOINTED PER MCL 168.191."

FOLLOWING THE MAY 20, 2014 DEADLINE FOR APPLICATIONS, DISCUSSED WAS THE QUESTION/INTERVIEW PROCESS TO BE FOLLOWED THEREAFTER. TIM QUINN

PRESENTED 5 STANDARD INTERVIEW QUESTIONS THAT HE FELT EACH OF THE APPLICANTS SHOULD BE GIVEN. THESE 5 STANDARD QUESTIONS WOULD HOLD A POINT VALUE OF UP TO 5 POINTS FOR A FAVORABLE RESPONSE WITH THE POTENTIAL OF 5 QUESTIONS AT 5 POINTS EACH FOR A TOTAL OF 25 POINTS. IN ADDITION, ANOTHER 3 QUESTIONS AT A VALUE OF UP TO 15 POINTS EACH FOR AN ADDED POSSIBLE 45 POINTS. THIS MIGHT NARROW THE APPLICANT POOL DOWN FROM APPROXIMATELY 30 APPLICANTS TO 6 FOR FINAL INTERVIEW.

CLERK LUCZAK PRESENTED A LIST OF CRITERIA SHE FELT THE APPLICANTS SHOULD MEET BASED ON A 5 POINT VALUE SYSTEM PER REQUIREMENT TO MEET, WITH A POSSIBLE 100 POINT TOTAL SCORE. SECONDLY, THAT ALL OF THE APPLICANTS SHOULD BE SUBJECT TO TESTING BASED ON THEIR ABILITY TO DECIPHER A LEGAL LAND DESCRIPTION KNOWING HOW IMPORTANT THAT KNOWLEDGE WAS TO HOLD THIS POSITION. DEVELOPERS SUBMITTING COSTLY PLATS TO THE STATE OF MICHIGAN FOR APPROVAL RELY ON THE EXPERTISE OF THE REGISTER OF DEEDS FOR ACCURACY ON LEGAL LAND DESCRIPTIONS. EVEN THE ENTRY TYPIST CLERK III JOB DESCRIPTION IN THE OFFICE REQUIRE THE ABILITY TO READ AND INTERPRET LEGAL DESCRIPTIONS. AS THE CLERK ACTS AS THE SECRETARY OF THE PLAT BOARD, A SAMPLE OF A LEGAL LAND DESCRIPTION WILL BE PRESENTED FOR CONSIDERATION/COMMITTEE REVIEW.

FURTHER, IT WAS THE CONSENSUS OF THE COMMITTEE MEMBERS THAT THE APPLICATIONS SCHEDULED FOR INTERVIEW WOULD NOT BE AFFORDED THE INTERVIEW QUESTIONS IN ADVANCE OF THEIR SCHEDULED INTERVIEW TIME.

CLERK LUCZAK REQUESTED BACKGROUND CHECKS ON THE 6-10 FINAL APPLICANTS FOR CONSIDERATION. T. QUINN INDICATED THIS WAS PART OF THE OVERALL COUNTY HIRING POLICY AND WOULD BE ACCOMPLISHED.

BRANDON KRAUSE ASKED TO MAKE A STATEMENT TO THE PANEL AT THIS TIME AND JUDGE TIGHE ALLOWED IT. EVEN THOUGH THIS WAS A COUNTY WIDE ELECTED POSITION, MR. KRAUSE WAS OF THE OPINION THAT THE A MINIMUM EDUCATIONAL REQUIREMENT WAS A HIGH SCHOOL DIPLOMA.

KURT ASBURY MOVED THE COMMITTEE WILL RECONVENE AFTER MAY 20, 2014 AT WHICH TIME, MEMBERS WILL REVIEW ALL OF THE APPLICATIONS AND PROPOSE THEIR SELECTIONS TO THE COMMITTEE AS A WHOLE. THOSE APPLICANTS WHO HAVE BEEN SELECTED BY TWO OR MORE MEMBERS WILL MOVED TO THE NEXT PHASE OF THE INTERVIEW PROCESS. JUDGE TIGHE SUPPORTED THE MOTION AS CARRIED BY VOICE VOTE OF 3 YEAS, 0 NAYS.

JUDGE TIGHE STATED, ANY OTHER PERIMETERS THAT THE PANEL WISHED TO SET FOR THE APPLICATION PROCESS COULD BE CONSIDERED AT THE

NEXT MEETING TO BE SET FOR THURSDAY, MAY 29, 2014 AT 2:00 P.M. COMMITTEE MEMBERS AGREED THAT THE BAY COUNTY BUILDING, FOURTH FLOOR COMMISSION CHAMBERS MAY BE A MORE CONVENIENT LOCATION THAN PASSING THROUGH THE SECURITY SYSTEM OF THE BAY COUNTY COURT FACILITY.

WHEN CONSIDERING THE LAST DAY OF EMPLOYMENT FOR VICKI ROUPE ANNOUNCED AS JUNE 13, 2014, A DISCUSSION WAS HELD AS TO THE FINAL REQUIREMENTS TO SATISFY THE RETIREMENT ORDINANCE PROVISIONS. CLERK LUCZAK ASKED IF A PERSON WAS "LOCKED INTO" RETIREMENT 30 DAYS BEFORE THE EFFECTIVE DATE OF THE REQUIREMENT. TIM QUINN REPLIED THAT THE PERSON COULD PULL HIS OR HER RETIREMENT PAPERS UP UNTIL THE DAY BEFORE THE EFFECTIVE DATE OF THE REQUIREMENT.

THIS WAS TO BE RESEARCHED WITH A RESPONSE SENT TO COMMITTEE MEMBERS DATED MAY 15, 2014....

ITEM 4.035, SECTION 35 (A) OF THE BAY COUNTY RETIREMENT ORDINANCE, NORMAL RETIREMENT AGE AND SERVICE REQUIREMENTS STATE " The member files with the Board a written application for retirement on a form prescribed by the Board, not more than ninety (90) days and not less than thirty (30) days before the members retirement date. NEVERTHELESS, THE PAST PRACTICE OF THE COUNTY HAS ALLOWED EMPLOYEES TO WITHDRAW UP TO THE DAY BEFORE THEIR ANNOUNCED RETIREMENT DATE.

THE NEXT SESSION WAS SET FOR THURSDAY, MAY 29, 2014 BEGINNING AT 2:00 P.M. ON THE FOURTH FLOOR COMMISSION CHAMBERS OF THE BAY COUNTY BUILDING, 515 CENTER AVENUE, BAY CITY, MICHIGAN.

RESPECTFULLY SUBMITTED  
CYNTHIA A. LUCZAK  
BAY COUNTY CLERK